

STATE OF MAINE

v.

JOCELYN C. SHARP

Submitted on Briefs July 25, 2012  
Decided August 7, 2012

Panel: SAUFLEY, C.J., and ALEXANDER, LEVY, SILVER, GORMAN, and  
JABAR, JJ.

MEMORANDUM OF DECISION

Jocelyn C. Sharp appeals from the judgment of the District Court (Ellsworth, *A. Murray, J.*) convicting her, upon a conditional plea, M.R. Crim. P. 11(a)(2), of operating under the influence (Class D), 29-A M.R.S. § 2411(1-A)(A) (2011). On appeal, Sharp challenges the denial of her motion to suppress by the District Court (*Cuddy, J.*). She asserts that there was insufficient evidence to support the court's finding that there was reasonable articulable suspicion of criminal activity sufficient to justify the stop of her vehicle. Considering the evidence of the early morning hours and the frequency with which Sharp's vehicle was observed entering and exiting from properties where a person would have no apparent reason to be in the early morning hours, Sharp has not demonstrated that the court clearly erred in finding sufficient reasonable articulable suspicion to justify the stop of her vehicle. *See State v. LaForge*, 2012 ME 65, ¶¶ 9, 11-13, 43 A.3d 961.

The entry is:

Judgment affirmed.

---

**On the briefs:**

Jeffrey C. Toothaker, Esq., Toothaker & Chong, Ellsworth, for appellant  
Jocelyn C. Sharp

Carletta M. Bassano, District Attorney, and Mary N. Kellett, Asst. Dist.  
Atty., Prosecutorial District No. VII, Ellsworth, for appellee State of Maine

Ellsworth District Court docket number CR-2009-1381  
FOR CLERK REFERENCE ONLY